

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GREGORY KAYLOR,

Plaintiff,

Case No. 06-12857

v.

District Judge Arthur J. Tarnow

COMMISSIONER OF SOCIAL
SECURITY,

Magistrate Judge R. Steven Whalen

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT &
RECOMMENDATION [10], GRANTING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT [7], DENYING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT [8], AND REMANDING CASE TO THE
COMMISSIONER FOR AWARD OF BENEFITS**

Before the Court is Plaintiff's Motion for Summary Judgment [7] and Defendant's Motion for Summary Judgment [8]. On June 14, 2007, Magistrate Judge Whalen issued a Report and Recommendation [10] recommending that the Plaintiff's motion be granted, Defendant's motion be denied, and the matter remanded to the Commissioner for award of benefits. Neither Defendant nor Plaintiff filed an Objection.

Having reviewed the file, the respective Motions for Summary Judgment, the Report and Recommendation, Defendant's Objection, and Plaintiff's Response, the Court hereby ADOPTS the Report and Recommendation [10] as the findings and conclusions of the Court. Therefore,

IT IS ORDERED that Plaintiff's Motion for Summary Judgment [7] is GRANTED.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [8] is DENIED.

This case is HEREBY REMANDED to the Commissioner for a computation and payment of benefits to the plaintiff.

SO ORDERED.

S/ARTHUR J. TARNOW

Arthur J. Tarnow

United States District Judge

Dated: July 12, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 12, 2007, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR

Case Manager